

### REMARKS

The Examiner is thanked for the telephone conference conducted on April 9, 2003.

Applicants believe this amendment complies with the revised amendment format that is an expansion of the special amendment process instituted for a prototype Electronic File Wrapper program described in USPTO ANNOUNCES PROTOTYPE OF IMAGE PROCESSING, 1265 Off. Gaz. Pat. Office 87 (Dec. 17, 2002).

Claims 1 - 8, 10 - 14, and 17 - 20 are all pending from the office action mailed on January 17, 2003. This SUPPLEMENTAL AMENDMENT TO AMENDMENT B is amending only claim 1. However, AMENDMENT B, which the Examiner has not yet formally responded to, amended claims 6, 10, and 17 - 20, cancelled claims 9 and 21 - 28, and added new claims 29-32.

The claim is being amended to more particularly point out the invention. As was discussed with the Examiner over the telephone, the Crooks et al., U.S. Patent No. 6,052,671 ('671) reference does not teach the operations of "receiving," "determining," AND "transmitting" occurring at the "host computer 20" of figure 7. At most, the sections of the '671 reference cited by the examiner teaches "receiving" and "transmitting." However, the "host computer 20" makes no effort to determine an amount. The amount in the '671 reference is presumably determined by the utility companies (64, 66, 68 and 70 in figure 7), and, once determined, merely transmitted to the "host computer 20." Therefore, the amended claim makes the distinctions between the '671 reference and the Applicant's invention clear.

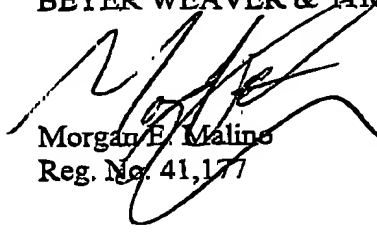
Also discussed was whether the operations of "receiving" and "determining" could be found in other references, and then whether those operations could be combined with the "transmitting" operation that, arguably, is disclosed by the '671 reference.

Specifically, the Examiner and the undersigned discussed, in general terms, whether the Frew et al., U.S. Patent No. 4,803,632 ('632) reference teaches the "receiving" and "determining" operations. The undersigned realizes that he made some misstatements concerning the '632 reference. Specifically, the undersigned confused the '632 reference with

the Chasek U.S. Patent No. 5,894,422 ('422) reference, and mistakenly believed the Examiner was identifying the '422 reference as arguably teaching the "receiving" and "determining" operations. The applicant apologizes for the confusion and would like to retract his statements concerning the '632 reference.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



Morgan E. Malino  
Reg. No. 41,177

P.O. Box 778  
Berkeley, CA 94704-0778  
(650) 961-8300